



***Substitute House Bill No. 7025***

***Public Act No. 07-173***

***AN ACT CONCERNING CIVIL PREPAREDNESS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 28-1b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(a) There is established a state-wide Emergency Management and Homeland Security Coordinating Council to advise the Department of Public Safety, the Office of Emergency Management and, on and after January 1, 2005, the Department of Emergency Management and Homeland Security with respect to: (1) Application and distribution of federal or state funds for emergency management and homeland security; (2) planning, design, implementation and coordination of state-wide emergency response systems; (3) assessing the state's overall emergency management and homeland security preparedness, policies and communications; (4) the recommendation of strategies to improve emergency response and incident management including, but not limited to, training and exercises, volunteer management, communications and use of technology, intelligence gathering, compilation and dissemination, the development, coordination and implementation of state and federally required emergency response plans, and the assessment of the state's use of regional management structures; and (5) strengthening consultation, planning, cooperation

***Substitute House Bill No. 7025***

and communication among federal, state and local governments, the Connecticut National Guard, police, fire, emergency medical and other first responders, emergency managers, public health officials, private industry and community organizations. The council shall advise the Governor and the General Assembly on its findings and efforts to secure the state from all disasters and emergencies and to enhance the protection of the citizens of the state.

(b) The council shall consist of: (1) The Commissioner of Emergency Management and Homeland Security; the Secretary of the Office of Policy and Management; the Commissioner of Public Safety; the Commissioner of Public Health; the Commissioner of Mental Health and Addiction Services; the Commissioner of Environmental Protection; the Commissioner of Public Works; the Commissioner of Transportation; the Adjutant General of the Military Department; the chairperson of the Department of Public Utility Control; the Chief Information Officer, as defined in section 4d-1; the State Fire Administrator; or their designees; and (2) the following members appointed as follows not later than July 1, 2004: Two municipal police chiefs, one appointed by the speaker of the House of Representatives and one appointed by the Governor; two municipal fire chiefs, one appointed by the president pro tempore of the Senate and one appointed by the Governor; one volunteer fire chief appointed by the minority leader of the Senate; one representative of the Connecticut Conference of Municipalities appointed by the majority leader of the Senate; one representative of the Council of Small Towns appointed by the minority leader of the House of Representatives; one local or regional civil preparedness director appointed by the speaker of the House of Representatives; one local or regional health director appointed by the president pro tempore of the Senate; one emergency medical services professional appointed by the Governor; one nonprofit hospital administrator appointed by the majority leader of the House of Representatives; and one manager or coordinator of 9-1-1

**Substitute House Bill No. 7025**

public safety answering points appointed by the Governor. Each member appointed under this subdivision shall serve for a term of three years from July 1, 2004, or until a qualified successor has been appointed to replace such member. No member appointed under this subdivision shall receive any compensation for such member's service on the council.

(c) The Secretary of the Office of Policy and Management, or the secretary's designee who shall be an employee of said office, shall serve as chairperson of the council until January 1, 2005. On and after January 1, 2005, the Commissioner of Emergency Management and Homeland Security shall serve as chairperson.

(d) The council shall hold its first meeting not later than August 1, 2004, and shall meet at least [~~monthly~~] quarterly thereafter.

(e) The chairperson of the council may request the participation of other representatives of federal, state, regional and local agencies as nonvoting members for purposes of consultation, planning and communication.

(f) Any vacancy on the council shall be filled for the unexpired portion of the term by the appointing authority having the power to make the original appointment. Any vacancy occurring on the council shall be filled within thirty days.

(g) The council shall submit a report to the General Assembly not later than January 1, 2005, and annually thereafter.

Sec. 2. Subsection (e) of section 28-6 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(e) No personnel of mobile support units of this state shall be ordered by the Governor to operate in any other state unless the laws

**Substitute House Bill No. 7025**

of such other state contain provisions substantially similar to those of this section or unless such state is a signatory to the Emergency Management Assistance Compact established in section 28-23a.

Sec. 3. Subsection (a) of section 28-7 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(a) Each town or city of the state shall establish a local organization for civil preparedness in accordance with the state civil preparedness plan and program, provided any two or more towns or cities may, with the approval of the commissioner, establish a joint organization for civil preparedness. The authority of such local or joint organization for civil preparedness shall not supersede that of any regularly organized police or fire department. [No town or city of the state shall be eligible for any state or federal benefits under this chapter until such town or city has submitted to the commissioner an emergency plan of operations approved by the local director of civil preparedness and the local chief executive which is subsequently approved by the commissioner.] In order to be eligible for any state or federal benefits under this chapter, not later than January 1, 2008, and annually thereafter, each town or city of the state shall have a current emergency plan of operations that has been approved by the commissioner. The plan shall be submitted to the commissioner after it has been approved by the local director of civil preparedness and the local chief executive. Such plan may be submitted with a notice stating that the plan remains unchanged from the previous year's version.

Sec. 4. Section 28-12 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

No person shall be employed or associated in any capacity in any civil preparedness organization established under this chapter who advocates a change by force or violence in the constitutional form of

**Substitute House Bill No. 7025**

the government of the United States or of this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for civil preparedness shall, before entering upon his duties, and annually thereafter, take an oath [verbally] orally before a local civil preparedness officer or officers empowered by the [director] commissioner to enlist volunteers, which oath shall be substantially as follows: "I, ..., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the state of Connecticut, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter." Each local civil preparedness officer shall provide to the department a roster of sworn volunteer civil preparedness force members on or before the fifteenth of August each year.

Sec. 5. Subsection (a) of section 28-7 of the general statutes, as amended by section 2 of public act 07-11, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(a) Each town or city of the state shall establish a local organization for civil preparedness in accordance with the state civil preparedness plan and program, provided any two or more towns or cities may, with the approval of the commissioner, establish a joint organization for civil preparedness. The authority of such local or joint organization for civil preparedness shall not supersede that of any regularly organized police or fire department. No town or city of the state shall be eligible for any state or federal benefits under this chapter until such town or city has submitted to the commissioner an emergency plan of operations approved by the local director of civil preparedness and the

***Substitute House Bill No. 7025***

local chief executive which is subsequently approved by the commissioner. Such emergency plan of operations shall not be approved by the commissioner unless the commissioner determines that the plan proposes strategies that address all the activities and measures of civil preparedness identified in subdivision (4) of section 28-1. Each town or city of the state shall consider whether to provide for the nonmilitary evacuation of livestock and horses in such plan.

Approved July 5, 2007